

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>RICHARD WOJTCZAK,</b>	:	
<b>Plaintiff,</b>	:	<b>No. 1:01-CV-1163</b>
<b>v.</b>	:	<b>(Judge Rambo)</b>
<b>PENNSYLVANIA, DEP'T OF CORRECTIONS, et al.</b>	:	<b>(Magistrate Judge Mannion)</b>
<b>Defendants,</b>	:	<b>(Electronically Filed)</b>

**ORDER**

**AND NOW**, this \_\_\_\_\_ day of \_\_\_\_\_, 2004, upon consideration of the motion of defendants Pennsylvania Department of Corrections, Beard, Kyler, Yarger, Everhart, and Walters, (hereinafter “the Commonwealth defendants”), to strike the surreply brief entitled “Plaintiff’s Response to Defendant’s Brief In Support of a Motion For Summary Judgement [sic] – Motion to Dismiss (Part 2),” it is hereby **ORDERED** that the Commonwealth defendants’ motion is **GRANTED**. The surreply brief is hereby stricken from the record.

**BY THE COURT:**

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**MALACHY E. MANNION**  
**United States Magistrate Judge**